

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
SOUTHERN DIVISION

TAVON HAMMOND, <i>et al.</i> ,)	
)	
Plaintiffs,)	
)	
v.)	CASE NO. 1:24-cv-395-ECM
)	[WO]
BRAD STRICKLAND, <i>et al.</i> ,)	
)	
Defendants.)	

ORDER

Now pending before the Court is the Plaintiffs’ motion for relief from judgment pursuant to Rule 60(b) of the Federal Rules of Civil Procedure. (Doc. 21). The Plaintiffs request that the Court vacate its April 4, 2025 dismissal order and reopen this case pursuant to Rule 60(b)(1) and Rule 60(b)(6). According to the Plaintiffs, the Court’s dismissal resulted from a “clerical and administrative error by the Clerk of Court”—specifically, the alleged failure to issue summonses that the Plaintiffs submitted in July 2024. (*Id.* at 1).

Rule 60(b)(1) authorizes the Court to relieve a party from a final judgment, order, or proceeding due to mistake, inadvertence, surprise, or excusable neglect. Rule 60(b)(6) in turn authorizes the Court to relieve a party from a final judgment for “any other reason that justifies relief.” “[R]elief under Rule 60(b)(6) is available only in ‘extraordinary circumstances.’” *Buck v. Davis*, 580 U.S. 100, 123 (2017) (quoting *Gonzalez v. Crosby*, 545 U.S. 524, 535 (2005)).

Upon review of the Plaintiffs’ submission and the entire record in this case, the Court finds that the Plaintiffs have failed to establish the existence of a mistake,

inadvertence, surprise, or excusable neglect such that Rule 60(b)(1) relief is warranted. Additionally, the Court finds that this case fails to present the extraordinary circumstances required to justify Rule 60(b)(6) relief. *See Buck*, 580 U.S. at 123. Consequently, the Plaintiffs' motion is due to be denied.

Accordingly, for the reasons stated, it is

ORDERED that the Plaintiffs' motion for relief from judgment (doc. 21) is DENIED.

DONE this 6th day of June, 2025.

/s/ Emily C. Marks
EMILY C. MARKS
CHIEF UNITED STATES DISTRICT JUDGE